REMARKS

Claims 1-64 are pending in this application. Claims 36 - 64 are newly added. A "Request for Interference Between Applications Pursuant to 37 CFR § 1.604" has been concurrently submitted to request that an interference be declared, in view of newly filed claim 36 - 64, between the present application and application serial no. 09/965,963 to Rebh, filed September 28, 2001 and published on April 3, 2003 in publication no. US 2003/0066073 A1. Favorable consideration of the present claims and of the Request is respectfully solicited.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: APRIL 2, 2004

By: _____
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: BLUM, et al.

SERIAL NO: 10/074,026

FILING DATE: February 14, 2002

TITLE: FLOOR MAT WITH VOICE-RESPONSIVE DISPLAY

GROUP ART UNIT: 2655

EXAMINER: TO, Doris Ha

COMMISSIONER FOR PATENTS
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REQUEST FOR INTERFERENCE BETWEEN APPLICATIONS PURSUANT TO 37 CFR § 1.604

SIR:

Pursuant to 37 CFR § 1.604, the Applicants respectfully request declaration of an interference between the above-identified patent application and pending U.S. patent application 09/965,963 filed September 28, 2001 and identifying Richard G. Rebh as the inventor ("the Rebh application"). The Rebh application was published April 3, 2003 in publication no. US 2003/0066073 A1. The information required by 37 CFR § 1.604 is set forth below.

(1) Proposed counts

The Applicants propose the following alternative counts.

Count 1

A display system, comprising:

a floor display device;

at least one motion sensor;

a controller coupled to the at least one motion sensor and the display device; and

a memory coupled to the controller;

wherein the controller activates the display device in response to a state of contents of the memory based on a signal from the at least one motion sensor and detected by the controller.

Count 2

A system for conveying information, comprising:

a floor display device;

a sound-generating device;

a motion sensor;

a controller coupled to the motion sensor, the floor display device and the sound-generating device; and

a memory coupled to the controller;

wherein the controller causes the floor display device to present a first illuminated display or the sound-generating device to generate a sound in response to a first state of contents of the memory based on a signal from the motion sensor and detected by the controller.

Count 3

A method of advertising, comprising:

illuminating a floor display according to a first pattern;

sensing motion; and

illuminating the floor display according to a second pattern when motion is sensed.

Count 4

A method of advertising, comprising:

illuminating a floor display according to a first pattern;

sensing motion;

illuminating the floor display according to a second pattern when motion is sensed; and

broadcasting a first sound through a speaker.

The Applicant does not know the exact claim language currently recited in the Rebh application. Accordingly, the Applicant offers the foregoing counts based upon claims published in the Rebh application. The counts are believed to define separate patentable inventions. For example, Count 2 is believed to define a separate patentable invention from Count 1 because Count 2 recites a sound-generating device. Similarly, Count 4 is believed to define a separate patentable invention from Count 3 because Count 4 recites broadcasting a sound through a speaker. Both Counts 3 and 4 are believed to define respective separate patentable inventions over Counts 1 and 2 since Counts 3 and 4 recite method steps which may be performed using alternative structures to those recited in Counts 1 and 2.

The Applicant would consider any count(s) that might be proposed by the Examiner.

(2) Corresponding claims in the Rebh application

As noted, the Applicant does not know the exact claim language currently recited in the Rebh application, and therefore, the following remarks concerning correspondence between the claims of the Rebh application and Counts 1 - 4 are based on the claims as shown in publication no. US 2003/0066073 A1, published April 3, 2003. As published, claim 38 of the Rebh application corresponds exactly to Count 3, and claim 44 of the Rebh application corresponds exactly to Count 4, allowing for the deletion of the transitional phrase "further comprising." With respect to a system, for example, claim 1 of the Rebh application corresponds to Count 1, and claim 64 of the

Rebh application corresponds to Count 2. All of the claims of the Rebh application as published correspond substantially to Counts 1 - 4.

(3) Explanation for why an interference should be declared

The Applicant has filed concurrently herewith a preliminary amendment in the above-identified application (10/074,026 to Blum et al., filed February 14, 2002) adding new claims 36-64. New claims 36-53 are copied from the Rebh application as published. New claims 36-53 correspond respectively to the claims of the Rebh application as published as indicated below:

New claim	Claim of Rebh app. as pub'd
36	1
37	2
38	3
39	4
40	8
41	9
42	38
43	39
44	40
45	42
46	43
47	44
48	52
49	53
50	54
51	56
52	64
53	66

The claims copied from the Rebh application are believed to be fully supported by the disclosure of the present application. An "Appendix" is attached hereto which addresses the elements of each of the copied claims and identifies support therefor in the present specification and figures. It should be understood that the Appendix is not exhaustive in terms of how the present disclosure supports the copied claims, but only shows examples of such support. The Applicant is prepared to demonstrate additional support if requested to.

Based on the Applicant's current knowledge of the prior art, all of the Rebh claims copied into the present application are patentable to Blum et al. over the prior art. Therefore, an interference should be declared for at least the reason that the present application and the Rebh application claim the same patentable invention. In attempting to provoke an interference, the Applicant makes no representation about whether or not any claims are patentable to Rebh.

The Applicant has also newly filed claims 54 - 64, which were not copied from the Rebh application. It is noted that "an interference exists between two applications ... if at least one claim from each would have anticipated or rendered obvious the subject matter of at least one claim of the other." MPEP § 2301.02. Accordingly, the Applicant respectfully further submits that an interference should be declared for at least the reason that one or more of the claims of the Rebh application are anticipated by or obvious in view of new claims 54 - 64, and one more of claims 54 - 64 are anticipated by or obvious in view of the claims of the Rebh application. Consider, for example, new claim 54, which corresponds exactly to Count 1:

> 54. A display system, comprising:
> a floor display device;
> at least one motion sensor;
> a controller coupled to the at least one motion sensor and the floor display device; and
> a memory coupled to the controller;
> wherein the controller activates the floor display device in response to a state of contents of the memory based on a signal from the at least one motion sensor and detected by the controller.

Further, consider claim 1 of the Rebh application as published:

1. An advertising system, comprising:
a floor display;
at least one motion sensor for detecting motion;
a memory comprising instructions for illuminating the display; and
a controller, that is in electrical connection with the display, the sensor and the memory and that reads the memory and activates the display in response to a signal from the sensor.

Each of the elements of the respective claims has a corresponding element in the other claim and therefore each claim would have been anticipated by or obvious in view of the other. Others of claims 54 - 64 and the claims of the Rebh application as published have a similar one-to-one correspondence of elements and therefore would have been anticipated by or obvious in view of a claim or claims in the other application.

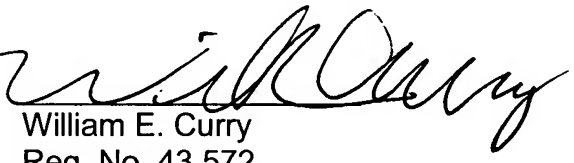
Conclusion

For the foregoing reasons, the Applicant respectfully requests that an interference be declared between the above-captioned application (10/074,026 to Blum et al., filed February 14, 2002) and the Rebh application (09/965,963 filed September 28, 2001) pursuant to 37 CFR § 1.604.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: APRIL 2, 2004

By: 

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APPENDIX

Claims	Claim element	Corresponding support in specification and figures
36. An advertising system, comprising: a floor display; at least one motion sensor for detecting motion; a memory comprising instructions for illuminating the display; and a controller, that is in electrical connection with the display, the sensor and the memory and that reads the memory and activates the display in response to a signal from the sensor.	advertising system	p. 11, par. 74 (in particular, lines 5-8)
	floor display	electronic floor display modifiable by computer (e.g., p. 12, par. 76); also, display device 720 (e.g., p. 24, par. 118, line 1; FIG. 13)
	at least one motion detector for detecting motion	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	memory comprising instructions for illuminating the display	display connected to a computer (p. 12, par. 76; p. 13, par. 79, lines 11-14); also, inherent in sensor 710: sensor 710 must store count and comprise logic to perform an action based on the count (p. 24, par. 118, lines 9-13)
	controller, that is in electrical connection with the display, the sensor and the memory and that reads the memory and activates the display in response to a signal from the sensor.	inherent in sensor 710: sensor must count, compare a count to "a defined number of presences" and provide a signal to display device 720 (p. 24, par. 118, lines 9-13)
37. The advertising system of claim 36, wherein the at least one motion sensor senses motion proximal to the display.	the at least one motion sensor senses motion proximal to the display	sensor 710 senses presence of a person on mat 100, e.g. by sensing motion across the surface of the mat by the movements of a person (p. 24, par. 118, line 8)
38. The advertising system of claim 36, further comprising a direct current power source that powers the controller.	direct current power source that powers the controller.	"a power source, such as a battery" (p. 24, par. 118, line 3)
39. The advertising system of claim 36, wherein the memory instructions further comprise instructions for instructing the	instructions for instructing the controller to illuminate the display in a first pattern and a second pattern	electronic display can be changed by a computer (p. 12, par. 76; p. 13, par. 79, lines 11- 14); also, inherent in sensor 710: sensor must comprise

controller to illuminate the display in a first pattern and a second pattern.		logic to control device 720 as described on p. 25, par. 119, lines 5-10
40. The advertising system of claim 36, further comprising a speaker for broadcasting sounds which is in electrical communication with the controller and wherein the memory further comprises sound instructions for broadcasting a first sound.	a speaker for broadcasting sounds which is in electrical communication with the controller	device 720: "device 720 can provide either a visual, audible, or vibratory signal" (p. 25, par. 119, line 1)
	the memory further comprises sound instructions for broadcasting a first sound.	inherent in sensor 710: sensor 710 must comprise logic to activate alarm device 720 in accordance with a desired behavior for alarm device 720
41. The advertising system of claim 36, wherein the controller reads the memory sound instructions and activates the speaker to broadcast the first sound in response to a signal from the sensor.	wherein the controller reads the memory sound instructions and activates the speaker to broadcast the first sound in response to a signal from the sensor.	inherent in sensor 710: sensor 710 must comprise logic to activate alarm device 720 in accordance with a desired behavior for alarm device 720
42. A method of advertising, comprising: illuminating a floor display according to a first pattern; sensing motion; and illuminating the floor display according to a second pattern when motion is sensed.	method of advertising	p. 11, par. 74
	illuminating a floor display according to a first pattern;	p. 25, par. 119, lines 5-10: green light is first pattern
	sensing motion	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	illuminating the floor display according to a second pattern when motion is sensed	p. 25, par. 119, lines 5-10: yellow light is second pattern
43. The method of claim 42, wherein sensing motion comprises sensing motion in an area proximal to the display.	sensing motion comprises sensing motion in an area proximal to the display	sensor 710 senses presence of a person on mat 100, e.g. by sensing motion across the surface of the mat by the movements of a person (p. 24, par. 118, line 8)
44. The method of claim 42, further comprising sensing that the motion has stopped.	sensing that the motion has stopped	inherent in sensor 710: to count presences accurately, must sense absence of motion as well as motion

45. The method of claim 42, further comprising receiving an interface signal from an interface switch.	receiving an interface signal from an interface switch.	inherent in sensor 710: sensor 710 must comprise a sensing part to sense physical phenomena, e.g. pressure or motion (sensor 710 may be a pressure sensor or a motion detector; p. 24, par. 118, line 9). Further, sensor 710 must comprise a control part to receive signals corresponding to the phenomena and take a corresponding action (e.g., increment a count or cause display device 720 to be illuminated). There must be an interface between the sensing part and the control part.
46. The method of claim 45, further comprising illuminating the display according to a third pattern after receiving the interface signal.	illuminating the display according to a third pattern after receiving the interface signal	inherent in sensor 710: see preceding comments regarding an interface. The red light (see above) is a third pattern; also, electronic display can be changed by a computer (p. 12, par. 76; p. 13, par. 79, lines 11- 14)
47. The method of claim 42, further comprising broadcasting a first sound through a speaker.	broadcasting a first sound through a speaker	device 720: "device 720 can provide either a visual, audible, or vibratory signal" (p. 25, par. 119, line 1)
48. A method of advertising, comprising: illuminating a floor display according to a first pattern; sensing motion; illuminating the display according to a second pattern when motion is sensed; and receiving an interface signal; and illuminating the display according to a third pattern after receiving the interface signal.	method of advertising	p. 11, par. 74
	illuminating a floor display according to a first pattern	p. 25, par. 119, lines 5-10: green light is first pattern
	sensing motion	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	illuminating the display according to a second pattern when motion is sensed	p. 25, par. 119, lines 5-10: yellow light is second pattern
	receiving an interface signal	see above remarks concerning an interface
	illuminating the display according to a third pattern after receiving the interface signal	see preceding comments regarding an interface. The red light (see above) is a third pattern
49. The method of claim 48, wherein sensing motion comprises sensing motion in an area proximal to the display.	sensing motion in an area proximal to the display	sensor 710 senses presence of a person on mat 100, e.g. by sensing motion across the surface of the mat by the movements of a person (p. 24, par. 118, line 8)

50. The method of claim 48, further comprising sensing that the motion has stopped.	sensing that the motion has stopped	inherent in sensor 710: to count presences accurately, must sense absence of motion as well as motion
51. The method of claim 48, further comprising broadcasting a first sound through a speaker.	broadcasting a first sound through a speaker	device 720: "device 720 can provide either a visual, audible, or vibratory signal" (p. 25, par. 119, line 1)
52. A system for conveying information, comprising: a floor display; a speaker; at least one motion sensor; a memory comprising instructions for illuminating an electroluminescent display and for creating a sound to be broadcast by the speaker; and a controller, that is in electrical connection with the display, the speaker, the sensor and the memory, the controller executing the memory instructions in response to a motion sensed signal from the sensor to illuminate a first pattern on the electroluminescent display and to broadcast a first sound through the speaker in response to the signal.	a floor display	electronic floor display modifiable by computer (e.g., p. 12, par. 76); also display device 720 (e.g., p. 24, par. 118, line 1; FIG. 13)
	a speaker	device 720: "device 720 can provide either a visual, audible, or vibratory signal" (p. 25, par. 119, line 1)
	at least one motion sensor	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	a memory comprising instructions for illuminating an electroluminescent display and for creating a sound to be broadcast by the speaker	electronic floor display modifiable by computer (e.g., p. 12, par. 76); also inherent in sensor 710: sensor must comprise logic to control device 720 as described on p. 25, par. 119, lines 5-10; and device 720: "device 720 can provide either a visual, audible, or vibratory signal" (p. 25, par. 119, line 1)
	electrical connection with the display, the speaker, the sensor and the memory, the controller executing the memory instructions in response to a motion sensed signal from the sensor to illuminate a first pattern on the electroluminescent display and to broadcast a first sound through the speaker in response to the signal	see above. The green light, e.g., is a first pattern
53. The system of claim 52, further comprising an interface unit which is in electrical communication with the controller and wherein the controller executes the memory instructions in response to a signal from the interface unit to illuminate a second pattern on the electroluminescent display and to broadcast a first sound through the speaker in response to the signal.	an interface unit which is in electrical communication with the controller	see above remarks concerning an interface

	controller executes the memory instructions in response to a signal from the interface unit to illuminate a second pattern on the electroluminescent display	see above. Yellow light is a second pattern
	broadcast a first sound through the speaker in response to the signal	device 720
54. A display system, comprising: a floor display device; at least one motion sensor; a controller coupled to the at least one motion sensor and the floor display device; and a memory coupled to the controller; wherein the controller activates the floor display device in response to a state of contents of the memory based on a signal from the at least one motion sensor and detected by the controller	a floor display device	electronic floor display modifiable by computer (e.g., p. 12, par. 76); also display device 720 (e.g., p. 24, par. 118, line 1; FIG. 13)
	at least one motion sensor	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	a controller coupled to the at least one motion sensor and the display device	inherent in sensor 710: sensor 710 must comprise a control part to perform an action based on a count: "Sensor system 700 also determines the number of persons ... counting the number of sensed presences. After the number of sensed presences equals a defined number of presences, a signal is provided to display device 720, e.g., illuminating the LED" (p. 24, par. 118, lines 9-13)
	a memory coupled to the controller	inherent in sensor 710: sensor 710 must store a count
	wherein the controller activates the display device in response to a state of contents of the memory based on a signal from the at least one motion sensor and detected by the controller	inherent in sensor 710: a control part of the sensor must activate display device 720 based on a stored count matching "a defined number of presences." The count is incremented based on signals from a sensor; the signal that causes the count to reach the "defined number of presences" causes the display device to be activated (p. 24, par. 118, lines 9-13)
55. The display system of claim 54, wherein the at least one motion sensor senses motion proximal to the display system.	the at least one motion sensor senses motion proximal to the display	sensor 710 senses presence of a person on mat 100, e.g. by sensing motion across the surface of the mat by the movements of a person (p. 24, par. 118, line 8)

56. The display system of claim 54, wherein the sensor system illuminates the floor display device in a first pattern and a second pattern based on a first state and a second state, respectively, of contents of the memory.	the sensor system illuminates the display device in a first pattern and a second pattern based on a first state and a second state, respectively, of contents of the memory	p. 25, par. 119, lines 5-10: green light is first pattern, yellow light is second pattern. Pattern changes could be based on a stored count (p. 24, par. 118, lines 9-13)
57. The display system of claim 56, wherein the sensor system illuminates the floor display device in a third pattern based on a third state of contents of the memory.	the sensor system illuminates the display device in a third pattern based on a third state of contents of the memory	p. 25, par. 119, lines 5-10: red light is third pattern
58. The display system of claim 54, further comprising a sound-generating device coupled to the sensor system to generate a sound based on a signal from the sensor system.	a sound-generating device coupled to the sensor system to generate a sound based on a signal from the sensor system	device 720 (p. 25, par. 119, line 1)
59. A method of conveying information in a floor display system, comprising: presenting a first illuminated display in the floor display system; sensing motion in the proximity of the floor display system; and presenting a second illuminated display in the floor display system in response to the sensed motion.	presenting a first illuminated display in the floor display system	p. 25, par. 119, lines 5-10: green light is first pattern
	sensing motion in the proximity of the floor display system	p. 24, par. 118, line 8
	presenting a second illuminated display in the floor display system in response to the sensed motion	p. 25, par. 119, lines 5-10: yellow light is second pattern
60. The method of claim 59, further comprising presenting a third illuminated display in response to the sensed motion.	presenting a third illuminated display in response to the sensed motion	p. 25, par. 119, lines 5-10: red light is third pattern
61. The method of claim 59, further comprising generating a sound through a sound-generating device.	generating a sound through a sound-generating device	device 720 (p. 25, par. 119, line 1)

62. A system for conveying information, comprising: a floor display device; a sound-generating device; a motion sensor; a controller coupled to the motion sensor, the floor display device and the sound-generating device; and a memory coupled to the controller; wherein the controller causes the display device to present a first illuminated display or the sound-generating device to generate a sound in response to a first state of contents of the memory based on a signal from the motion sensor and detected by the controller.	a floor display device	electronic floor display modifiable by computer (e.g., p. 12, par. 76); also display device 720 (e.g., p. 24, par. 118, line 1; FIG. 13)
	a sound-generating device	device 720 (p. 25, par. 119, line 1)
	a motion sensor	sensor 710 may be a motion detector (p. 24, par. 118, line 9; FIG. 13)
	a controller coupled to the motion sensor, the display device and the sound-generating device	inherent in sensor 710: sensor 710 must comprise a control part to perform an action based on a count (p. 24, par. 118, lines 9-13)
	a memory coupled to the controller	inherent in sensor 710: sensor 710 must store a count
	wherein the controller causes the display device to present a first illuminated display or the sound-generating device to generate a sound in response to a first state of contents of the memory based on a signal from the motion sensor and detected by the controller	inherent in sensor 710: sensor must comprise logic to control device 720 as described on p. 25, par. 119, lines 5-10. Green light is first illuminated display Additionally, device 720 (p. 25, par. 119, line 1)
63.The system of claim 62, wherein the controller causes the floor display device to present a second illuminated display in response to a second state of contents of the memory based on a signal from the motion sensor and detected by the controller.	controller causes the display device to present a second illuminated display in response to a second state of contents of the memory based on a signal from the motion sensor and detected by the controller	p. 25, par. 119, lines 5-10. Yellow light is second illuminated display

64. The system of claim 63, wherein the controller causes the floor display device to present a third illuminated display in response to a third state of contents of the memory based on a signal from the motion sensor and detected by the controller.	controller causes the display device to present a third illuminated display in response to a third state of contents of the memory based on a signal from the motion sensor and detected by the controller	p. 25, par. 119, lines 5-10. Red light is third illuminated display